

**REMARKS**

Claims 1-2 and 7-11 are pending in this application. By this Amendment, claims 1 and 11 are amended and claims 3-5 are canceled.

**I. Claims 1-5 and 7-11 Satisfy the Requirements of 35 U.S.C. §112, Second Paragraph**

Claims 1-5 and 7-11 are rejected under 35 U.S.C. §112, second paragraph as indefinite.

Accordingly, claims 1 and 11 are amended and claims 3-5 are canceled. Accordingly, withdrawal of the rejection of claims 1-5 and 7-11 under 35 U.S.C. §112, second paragraph is respectfully requested.

**II. Claim 3 Satisfies the Requirements of 35 U.S.C. §112, First Paragraph**

Claim 3 is rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Accordingly, claim 3 is canceled. Withdrawal of the rejection of claim 3 under 35 U.S.C. §112, first paragraph is respectfully requested.

**III. The Claims Define Patentable Subject Matter**

Claims 1-5 and 7-11 are rejected under 35 U.S.C. §102(e) as anticipated by, or in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. 2001/003255 to Sergel et al.; claims 2 and 5 are rejected under 35 U.S.C. §103(a) as unpatentable over Sergel and further in view of EP 658452; and claims 8-11 are rejected under 35 U.S.C. §103(a) as unpatentable over Sergel and further in view of U.S. Patent No. 5,942,069 to Gerresheim and/or EP 925903. These rejections are respectfully traversed.

The applied art does not disclose winding and uncured tread rubber, made from low electrically conductive rubber and formed in two parts as an integral extrusion shaped body on the circumference of the tire material before or after the winding of the ribbon, as claimed in claim 1.

Instead, Sergel et al. discloses that two strips of material consisting of different mixtures are arranged simultaneous or sequentially on different areas in the inner or the radially outer zone of the space occupied by the finish tread strip. The materials are mixtures containing silica which impart a slight resistance to roll and skid characteristics and have a low electrical conductivity. Another strip contains carbon black which contacts the conductive layers of the tire and ensures the grounding of electrostatic charges. After the application of the base layer, the winding of the next strip material forms the gap.

The inner part of the tread strip (base and parts) forming the surface of the tread strip coming into contact with the road are formed from the strips of material filled with carbon black base mixture. The remaining areas between the base and the surface coming into contact with the roadway are filled by winding on a second strip material of a cap mixture or by inserting a single thick strip. The zones that do not have the full thickness of the tread strip are filled in by winding on a second strip of material or by inserting a single thick strip.

Accordingly, the applied art does not disclose at least that the uncured tread rubber is made from low electrically conductive rubber and formed in two parts as an integral extrusion shaped body. The above discussed feature is disclosed at least on pages 4 and 5 of the specification.

Withdrawal of the rejection of claims under 35 U.S.C. §102 and §103 is respectfully requested.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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Attachment:  
Petition for Extension of Time

Date: April 19, 2004

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